AN ACT
AMENDING REPUBLIC ACT NO. 11332, OTHERWISE KNOWN AS THE
“MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH
EVENTS OF PUBLIC HEALTH CONCERN ACT”

EXPLANATORY NOTE

Last year, Republic Act No. 11332 (R. A. No. 11332) otherwise known as the
Mandatory Reporting of Notifiable Diseases and Health of Public Concern Act was
enacted into law an effective response system in compliance with the 2005
International Health Regulations (IHR) of the World Health Organization (WHO).

The said measure updated the 90-year old law Act No. 3573 on Reporting of
Communicable Diseases. R. A. No. 11332 law ensured the establishment and
maintenance of effective and efficient disease and surveillance and response
system for rapid containment and implementation of measures for disease
prevention and control.

The country’s current response to controlling the spread of the Novel Corona Virus
of 2019 (NCOV) proves that our laws are still insufficient to address such kind of
disease outbreak despite President Rodrigo Duterte having formally declared a
state of public health emergency in the Philippines through Proclamation No. 922.

Accordingly, this measure proposes amendments to Republic Act No. 11332. Some
of the features of the proposal include: (1.) mandating the Philippine
National Police (PNP) and Armed Forces of the Philippines (AFP) to assist the
DOH in its contact tracing efforts; (2.) establishing sub-national laboratories in all
DOH-run hospitals in the country which shall have the capacity to undertake
testing, diagnosis, control and prevention of infectious diseases; (3.) allowing the
local government units (LGUs) to establish their own laboratories accredited and
approved by the DOH, and mandating all LGUs to establish their own epidemiology and surveillance units; (4.) requiring the DOH to issue clear guidelines on the systematic reporting and recording of notifiable diseases and health events of public health concern; and (5.) requiring all public and private institutions to provide necessary information in disease surveillance and other epidemiologic investigations.

In view of the foregoing, the approval of this measure is most earnestly sought.

LUIS RAYMUND “LRAY” F. VILLAFUERTE JR.,
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
First Regular Session  

HOUSE BILL NO. 7006

Introduced by HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.

AN ACT  
AMENDING REPUBLIC ACT NO. 11332, OTHERWISE KNOWN AS THE  
"MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH  
EVENTS OF PUBLIC HEALTH CONCERN ACT"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 6 of Republic Act No. 11332 is hereby amended to add the following:

"SEC. 6. Mandatory Reporting of Notifiable Diseases and Health Events of Public Concern. — The DOH, through the Epidemiology Bureau, shall issue the official list of institutionalized public health information system, disease surveillance and response systems for mandatory reporting of notifiable diseases and health events of public concern provided in Section 5 of this Act. This official list shall include the Field Health Service Information System (FHSIS), the Philippine Integrated Disease Surveillance Response (PIDS) System with its Case-Based Surveillance and Event based Surveillance, and other duly institutionalized public health disease surveillance and response systems of the DOH.

"Under this Act:

"xx

"(e) To perform their disease surveillance and response functions, authorized health personnel from the DOH and its local counterparts have the statutory and regulatory authority to enforce the following:

"xx
“(6) ESTABLISHMENT OF SUB-NATIONAL LABORATORIES IN ALL DOH RUN REGIONAL HOSPITALS IN THE COUNTRY WHICH SHALL HAVE THE CAPACITY TO UNDERTAKE TESTING, DIAGNOSIS, CONTROL AND PREVENTION OF INFECTIOUS DISEASES. LOCAL GOVERNMENT UNITS MAY ALSO ESTABLISH THEIR OWN LABORATORIES AND/OR PARTNER WITH PRIVATE HOSPITALS AND LABORATORIES IN THE CONDUCT OF INFECTIOUS DISEASE SURVEILLANCE: PROVIDED, THAT THE LABORATORIES SHALL BE DULLY ACCREDITED AND APPROVED BY THE DOH.

“xx

“(H) ALL HOSPITALS, CLINICS, HEALTH FACILITIES, LABORATORIES, RESEARCH INSTITUTIONS, WORKPLACES, SCHOOLS, PRISONS, PORTS, AIRPORTS, COMMERCIAL ESTABLISHMENTS, AND RESIDENTIAL COMMUNITIES ARE REQUIRED TO PROVIDE NECESSARY INFORMATION TO AUTHORIZED PERSONNEL OF THE DOH AND OTHER AUTHORIZED AGENCIES INCLUDING LOCAL COUNTERPARTS INVOLVED IN DISEASE SURVEILLANCE INCLUDING CONTACT TRACING: PROVIDED, THAT SUCH REQUIREMENT TO PROVIDE INFORMATION SHOULD BE EXEMPTED IN THE PROVISION OF THE DATA PRIVACY ACT ON ACCESSIBILITY OF DATA;

“(I) THE DOH SHALL ESTABLISH HOTLINES AND OTHER FORMS OF ACCESS WHERE THE PUBLIC CAN REPORT NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN;

‘(J) THE DOH SHALL ISSUE CLEAR GUIDELINES ON THE SYSTEMATIC REPORTING AND RECORDING OF NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN, PARTICULARLY, ON THE NUMBER OF CONFIRMED CASES, DEATHS, SUSPECTED AND PROBABLE CASES; AND

“(K) THE PHILIPPINE NATIONAL POLICE AND ARMED FORCES OF THE PHILIPPINES SHALL ASSIST THE DOH IN THE CONDUCT OF CONTACT TRACING AND OTHER EPIDEMIOLOGIC INVESTIGATIONS WHERE THE ASSISTANCE OF UNIFORMED PERSONNEL ARE NECESSARY.”

SEC. 2. Section 7 of Republic Act No. 11332 is hereby amended to read as follows:

"The Secretary of Health shall have the authority to declare epidemics of national and/or international concerns [except when the same threatens national security In which case, the President of the Republic of the Philippines shall declare a State of Public Health Emergency and mobilize governmental and nongovernmental agencies to respond to the threat.] IN WHICH CASE THE INTER-AGENCY TASK FORCE FOR THE MANAGEMENT OF EMERGING INFECTIOUS DISEASES (IATF-EID) CREATED UNDER EXECUTIVE ORDER NO. 168, S. 2014 SHALL IMMEDIATELY CONVENE. THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES SHALL HAVE THE AUTHORITY TO DECLARE A STATE OF PUBLIC HEALTH EMERGENCIES UPON THE RECOMMENDATION OF THE IATF EID OR UPON THE DECLARATION OF THE WORLD HEALTH ORGANIZATION OF A PUBLIC HEALTH EMERGENCY OF INTERNATIONAL
CONCERN. THE STATE OF PUBLIC HEALTH EMERGENCY SHALL AUTHORIZE THE PRESIDENT TO MOBILIZE GOVERNMENTAL AND NONGOVERNMENTAL AGENCIES TO RESPOND TO THE THREAT, AND TO EXERCISE OF MEASURES PROVIDED IN REPUBLIC ACT NO. 10121 WHEN A STATE OF CALAMITY EXISTS.

"THE 'ATF-EID SHALL, WITHIN NINETY (90) DAYS FROM THE APPROVAL OF THIS ACT, FORMULATE A NATIONAL PUBLIC HEALTH EMERGENCY STRATEGY TO ADDRESS PUBLIC HEALTH EMERGENCIES. THIS STRATEGY SHALL PROVIDE FOR AN INTEGRATED POLICY COORDINATION AND STRATEGIC DIRECTION WITH RESPECT TO ALL MATTERS RELATED TO NATIONAL PUBLIC HEALTH AND MEDICAL PREPAREDNESS, AND EXECUTION AND DEPLOYMENT OF NATIONAL RESPONSE BEFORE, DURING, AND FOLLOWING PUBLIC HEALTH EMERGENCIES. THE STRATEGY SHALL ALSO INCLUDE THE IDENTIFICATION OF QUARANTINE OR ISOLATION FACILITIES IN EVERY PROVINCE.

"THE IATF-EID SHALL FORMULATE AND IMPLEMENT A NATIONAL PUBLIC HEALTH EMERGENCY PLAN IN ACCORDANCE WITH THE NATIONAL PUBLIC HEALTH EMERGENCY STRATEGY AS SOON AS THE PRESIDENT DECLARES THE EXISTENCE OF THE STATE OF PUBLIC HEALTH EMERGENCY.
"xx."  

SEC. 3. Section 8 of Republic Act No. 11332 is hereby amended to read as follows:

"Section 8. Establishment of Epidemiology and Surveillance Units. - The DOH [in coordination with the LGUs.] shall ensure that the Epidemiology and Surveillance Units (ESUs) are established and functional in all levels of the DOH and its local counterparts, and in public and private health facilities and laboratories, as well as ports and airports in all provinces, cities and municipalities throughout the country.
ALL PROVINCES, CITIES AND MUNICIPALITIES SHALL ESTABLISH THEIR OWN EPIDEMIOLOGY AND SURVEILLANCE UNITS WHICH SHALL CLOSELY COORDINATE WITH THE ESUS OF THE DOH.

"The ESU shall capture and verify all reported notifiable diseases and health events of public health concern; provide timely, accurate, and reliable epidemiologic information to appropriate agencies; conduct disease surveillance and response activities; coordinate needed response; and facilitate capacity building in the field of epidemiology, disease surveillance and response at the Epidemiology Bureau.

"All ESUs OF THE DOH AND LGUS shall have trained required human resource complement and provision of adequate resources, including equipment, logistics, communication, transportation, laboratory supplies and reagents, personal protective equipment and health insurance, to effectively perform their disease surveillance and response functions."
SEC. 4. Section 9 of Republic Act No. 11332 is hereby amended to read as follows:

"SEC. 9. Prohibited Acts. - The following shall be prohibited under this Act:

"xx

“(F) CREATING, PERPETUATING, OR SPREADING FALSE INFORMATION REGARDING AN EPIDEMIC OR PUBLIC HEALTH EMERGENCY ON SOCIAL MEDIA AND OTHER PLATFORMS, SUCH INFORMATION HAVING NO VALID OR BENEFICIAL EFFECT ON THE POPULATION, AND ARE CLEARLY GEARED TO PROMOTE CHAOS, PANIC, ANARCHY, FEAR, OR CONFUSION; AND THOSE PARTICIPATING IN CYBER INCIDENTS THAT MAKE USE OR TAKE ADVANTAGE OF THE CURRENT CRISIS SITUATION TO PREY ON THE PUBLIC THROUGH SCAMS, PHISHING, FRAUDULENT EMAILS, OR OTHER SIMILAR ACTS;

“(G) DISCRIMINATING AGAINST HEALTH WORKERS, INFECTED AND RECOVERED PERSONS SUCH AS PROMOTING AND ENCOURAGING STIGMA, INCITING VIOLENCE, SUBJECTING THEM TO PROFILING, DETENTION, OR VERBAL OR PHYSICAL HARASSMENT; AND

“(H) INTENTIONALLY DECLARING OR REPORTING FALSE INFORMATION ON INFECTIOUS DISEASES.

xx."

SEC 5. Separability Clause. - Any portion or provision of this Act that is declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions can still subsist and be given effect in their entirety.

SEC. 6. Repealing Clause. - All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 7. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,